

Art Unit: 1632

### DETAILED ACTION

Pursuant to the telephonic interview conducted on October 6, 2009, the Examiner's Amendment set forth below puts the application in condition for allowance.

Claims 1-7, 9-19, and 21-24 remain pending.

#### *Examiner's Amendment*

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Xixis on November 9, 2009.

The application has been amended as follows:

#### **In the Claims:**

Claims 2-6, 11, 14-18, and 22-24 have been cancelled.

1. A method of ameliorating a symptom of a neurodegenerative disorder by altering expression of glutamic acid decarboxylase 65 (GAD<sub>65</sub>) in a region of the brain of a subject having a neurodegenerative disorder comprising:

identifying a target site in the brain that requires modification;

delivering [[a]] an adeno-associated viral (AAV) vector comprising a nucleotide sequence encoding glutamic acid decarboxylase 65 (GAD<sub>65</sub>) directly to the target site in the brain; and

expressing GAD<sub>65</sub> in the target site, thereby ameliorating at least one symptom of the neurodegenerative disorder.

Art Unit: 1632

7. The method of claim 1, wherein the AAV vector is delivered using stereotaxic delivery.
9. The method of claim ~~[[8]]~~ 1, wherein the region of the brain is selected from the group consisting of basal ganglia, ~~subthalamic~~ subthalamic nucleus (STN), pedunculopontine nucleus (PPN), substantia nigra (SN), ~~thalamus~~ thalamus, hippocampus, cortex, and combinations thereof.
10. The method of claim ~~[[8]]~~ 1, wherein the region of brain is the ~~subthalamic~~ subthalamic nucleus (STN).
12. The method of claim ~~[[11]]~~ 1, wherein the neurodegenerative disorder is Parkinson's disease.
13. A method of ameliorating a symptom of a neurodegenerative disorder by altering expression of glutamic acid decarboxylase 65 (GAD<sub>65</sub>) in a region of the brain of a subject having a neurodegenerative disorder which causes morphological and/or functional abnormality of a neural cell or population of neural cells comprising:
  - identifying a target site in the brain that requires modification;
  - delivering ~~[[a]]~~ an AAV vector comprising a nucleotide sequence encoding glutamic acid decarboxylase 65 (GAD<sub>65</sub>) directly to the target site in the brain; and
  - expressing GAD<sub>65</sub> in the target site, thereby ameliorating at least one symptom of the neurodegenerative disorder.
19. The method of claim 13, wherein the AAV vector is delivered using stereotaxic delivery.

Art Unit: 1632

21. The method of claim [[20]] 13, wherein the region of the brain is selected from the group consisting of basal ganglia, ~~subthalamie~~ subthalamie nucleus (STN), pedunclopontine nucleus (PPN), substantia nigra (SN), ~~thalamus~~ thalamus, hippocampus, cortex, and combinations thereof.

### *Reasons for Allowance*

The following is an examiner's statement of reasons for allowance:

The objection to Claims 1-4, 7, 9-16, 19, and 21-24, for encompassing non-elected subject matter, is **withdrawn** in view of the amendments to Claims 1, 7, 9, 10, 12, 13, 19, and 21 and the cancellation of Claims 2-4, 11, 14-16, and 22-24.

The objection to Claims 9, 10, and 21, for depending from cancelled Claims 8 and 20, is **withdrawn** in view of the amendments to Claims 9, 10, and 21.

The rejection of Claims 1-4, 7, 9-16, 19, and 21-24 under 35 U.S.C. 112, first paragraph, for lack of enablement over the full scope, is **withdrawn** in view of the amendments to Claims 1, 7, 9, 10, 12, 13, 19, and 21 and the cancellation of Claims 2-4, 11, 14-16, and 22-24.

The rejection of Claims 13-16, 19, and 21-23 under 35 U.S.C. 112, second paragraph, for indefiniteness, is **withdrawn** in view of the amendments to Claims 13, 19, and 21 and the cancellation of Claims 14-16, 22, and 23.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1632

***Conclusion***

Upon entry of the foregoing amendment, Claims 1, 7, 9, 10, 12, 13, 19, and 21 are allowable.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne-Marie Falk whose telephone number is (571) 272-0728. The examiner can normally be reached Monday through Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, can be reached on (571) 272-4517. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Anne-Marie Falk, Ph.D.

/Anne-Marie Falk/

Primary Examiner, Art Unit 1632